

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of Delaware

Endo Pharmaceuticals Inc. and
Penwest Pharmaceuticals Co.,

Plaintiffs,

SUMMONS IN A CIVIL CASE

V.

Impax Laboratories, Inc.,

Defendant.

CASE NUMBER: 08 - 463

TO: (Name and address of Defendant)

Impax Laboratories, Inc.

c/o The Prentice-Hall Corporation System, Inc.

2711 Centerville Road - Suite 400

Wilmington, DE 19808

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Maryellen Noreika

Morris, Nichols, Arsht & Tunnell LLP

1201 North Market Street

P.O. Box 1347

Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK

DATE

7/25/08

(By) DEPUTY CLERK

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.